

City of Cincinnati
Notice of Official Reprimand

To: Jeffrey Butler Jr. Employee I.D. Number 13929
Title: Police Captain Effective Date of Reprimand July 1, 2019
Department: Police
Organization Code: 1140 Penalty Code 0 8

Reason Codes

You are hereby officially reprimanded for the following reason(s):
(Enter up to 3 Codes)

1

2

3

07

- 02 - Incompetency
- 03 - Inefficiency
- 04 - Dishonesty
- 05 - Insubordination
- 06 - Neglect of Duty
- 07 - Failure of Good Behavior
- 08 - Substance Abuse
- 09 - Excessive Absenteeism
- 10 - Violation of Civil Service Rules/C.S. Law/Code of Ethics
- 11 - Other

Explain in Full Reason for Reprimand:

During an interview at the Internal Investigations Section (IIS) Captain Jeffrey Butler Jr. alleged Police Chief Eliot K. Isaac came to the Inspections Section captain's office on March 8 or 9, 2018, and asked Captain Butler for the location of items from the Department's 2017 overtime audit. Captain Butler stated he advised Chief Isaac the items were in the Inspections Section office. Captain Butler stated Chief Isaac then left his office and went to the Inspections Section main office. Captain Butler further stated a short time later an unknown member of the Inspections Section told him, "The Chief took everything" (referring to the audit material).

Lieutenant Colonel Teresa Theetge and Captain Dennis Swingley were told by Captain Butler that he left the master box, containing copies of original department documents and additional supporting documentation compiled by the Inspections Section during the 2017 overtime audit, in his office upon his transfer. He was transferred from the Inspections Section on March 18, 2018.

Captain Butler authored a Form 17 on October 17, 2018, in which he wrote the supporting documentation for the audit was clearly marked and secured at the Inspections Section office prior to the transfers of Lieutenant Barbara Young, Sergeant Douglas Frazier and himself.

Chief Isaac did not go to the Inspection Section captain's office or main office for any reason on March 8 or 9, 2018. Chief Isaac did not ask Captain Butler for the location of the items related to the 2017 overtime audit. Since assuming the role as Police Chief, Chief Isaac has only gone to the Inspection Section office to attend random drug testing.

Lieutenant Young, Sergeant Frazier, Sergeant Stephenie Fassnacht, Sergeant Jacob Mapel, Sergeant Ronald Schaeper, and CTIII Marla Lovette are not aware of Chief Isaac or anyone not assigned to the Inspections Section asking for or physically removing any documents related to the audit.

The IIS investigation determined Chief Isaac did not remove any items related to the audit from the Inspections Section office.

The statements made by Captain Butler alleging on March 8 or 9, 2018, Chief Isaac removed items related to the 2017 overtime audit from the Inspections Section office are inaccurate, intentional, and misleading. Captain Butler's actions are in violation of Rule 2.03B of the Manual of Rules and Regulations and Disciplinary Process for the Cincinnati Police Department, which states:

2.03 Members shall submit all necessary reports on time and in accordance with established Departmental procedures. This rule is intended to be used for situations not rising to the level of seriousness outlined in Rule 5.01.

B. Reports submitted by members, as well as official statements, whether verbal or written, that contain inaccurate, incomplete, or improper information, including omissions, as a result of intentional conduct by members designed to mislead are covered under Section B. of Rule 2.03.

A copy of this notice is being placed on your record. This notice is given to you with the hope you will improve your conduct and performance. If further discussion of your performance will help, I will be glad to meet with you.

Served by Lieutenant Colonel Teresa Theetge and Lieutenant Colonel Paul Neudigate

Signed

LT. COL. Paul W. Neudigate

Signed

T. Theetge

Title Assistant Police Chiefs

on (date)

REFUSED

7.3.19

Department: Police

EMPLOYEE'S SIGNATURE

DATE

To The Employee: Your signature is requested here only as an indication that you have seen this reprimand. Your signature is not intended to imply that you agree with the reprimand.

Distribution: Original: Employee

Copies after signature: Civil Service; Police Department; Supervisor

PEER REVIEW PANEL AWARD

Grievance # 24-2019 was heard by the undersigned panel on Captain Jeffrey Butler

The suspension / reprimand imposed by the City is (circle one) sustained / reversed / or reduced. If reduced, the penalty shall be _____.

COMMENTS

After reviewing the evidence presentation, the Peer Review Panel has determined that the investigation posed several conflicts of interest.

The Panel identified the following:

- Adirect familial relationship between evidence of the investigation and investigative body.
- Due to an active Captain's Promotion List, the lead investigator

Craig A. Grogg
Panel Member Name

[Signature]
Panel Member Signature

Doug Wiesman
Panel Member Name

Doug M. Wiesman
Panel Member Signature

Paul F. Broxterman, Jr.
Panel Member Name

Paul F. Broxterman, Jr.
Panel Member Signature

CONTINUED
~~DISSENT~~ etc
(IF APPLICABLE)

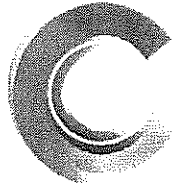
was potentially in a position to benefit from a sustained finding of Captain Butler.

- while being implicated in the investigation, the Police Chief attended discussions related to this investigation prior to the conclusion of the investigation.

Panel Member

At least two members must agree on sustaining, reversing, or reducing a penalty for decision to be final. No deadlocks are permitted.

The Panel believes that because of these conflicts identified, one could consider that the investigation not fair or objective which further lends to the veracity of the SUSTAINED finding.



Date: July 29, 2019

To: Mr. Joseph Wilson, Human Resources Department Director
Captain Russell Neville, Internal Investigations Section Commander
Mr. Jim Olthaus, Technology and Systems Section

From: Lieutenant Colonel Teresa Theetge, Support Bureau Commander

Subject: Reduction of Discipline for Captain Jeffrey Butler

Police Captain Jeffrey Butler, assigned to Police Training Section, was issued a Written Reprimand (ETS #2019-249097) for an incident which occurred in March, 2018.

The matter was taken to Peer Review on July 25, 2019, and the discipline was reversed by the Peer Review Panel. Therefore, the Written Reprimand should be removed from the officer's personnel files and ETS records must be corrected in accordance with procedure.

Please ensure all entries are adjusted accordingly.

If you have any questions concerning this matter, please contact the Police Personnel Section at 352-3534.

TAT/tmg